

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

MASSACHUSETTS FAIR HOUSING CENTER; INTERMOUNTAIN FAIR HOUSING COUNCIL; SAN ANTONIO FAIR HOUSING COUNCIL, INC., d/b/a FAIR HOUSING COUNCIL OF SOUTH TEXAS; and HOUSING RESEARCH AND ADVOCACY CENTER, d/b/a FAIR HOUSING CENTER FOR RIGHTS & RESEARCH, INC., *on behalf of themselves and all those similarly situated*,

Plaintiffs,

v.

THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; SCOTT TURNER, *in his official capacity as Secretary of Housing and Urban Development*; U.S. DOGE SERVICE; U.S. DOGE SERVICE TEMPORARY ORGANIZATION; and AMY GLEASON, *in her official capacity as Acting Administrator of U.S. DOGE Service and U.S. DOGE Service Temporary Organization*,

Defendants.

Civil Action No. 3:25-cv-30041-RGS

Judge Richard G. Stearns

JOINT PROPOSAL REGARDING TRO EXTENSION AND PRELIMINARY INJUNCTION BRIEFING SCHEDULE

Consistent with the Court’s instructions in the March 26 Temporary Restraining Order (“TRO”), *see* Dkt. 31 at ¶ 7, and the March 28 Electronic Order, *see* Dkt. 33, Plaintiffs Massachusetts Fair Housing Center; Intermountain Fair Housing Council; San Antonio Fair Housing Council, d/b/a Fair Housing Council of South Texas; and Housing Research and Advocacy Center, d/b/a Fair Housing Center for Rights and Research, Inc. (“Plaintiffs”), and Defendants Department of Housing and Urban Development; Scott Turner; U.S. DOGE Service;

U.S. DOGE Service Temporary Organization; and Amy Gleason (“Defendants”) (collectively, the “Parties”), have conferred and hereby jointly submit the following proposals.

Plaintiffs propose to defer further briefing of a preliminary injunction in this case pending a resolution on the merits of the appeal of preliminary relief in the *California v. Department of Education* matter.¹ If that appeal has not been resolved by May 9, Plaintiffs propose submitting a joint status report on May 9, in which the Parties will address any further extensions of the TRO and the potential need for preliminary injunction briefing. Defendants object to deferring briefing of a preliminary injunction pending resolution of the appeal in the *Department of Education* case, and Defendants do not consent to an extension of the TRO beyond its expiration on April 9 for purposes of awaiting resolution of the appeal in the *Department of Education* case. *See* Fed. R. Civ. P. 65(b)(2).

Instead, Defendants propose extending the TRO, pursuant to Federal Rule of Civil Procedure 65(b)(2), up to and including May 16, for the purpose of briefing the propriety of entering a preliminary injunction using the deadlines set forth below.²

- Plaintiffs will file an opening brief on or before April 21;
- Defendants will file an opposition brief on or before May 5; and
- Plaintiffs will file a reply brief on or before May 12.³

¹ Currently, the Department of Education’s appeal of the First Circuit’s denial of a stay of the TRO pending appeal is in front of the Supreme Court, the merits of the Department of Education’s TRO appeal are pending in front of the First Circuit (with briefing extending through April 28), and the District Court heard argument on the States’ motion for a preliminary injunction on March 28.

² Defendants reserve the right to move to dissolve the TRO before May 16, including if the Supreme Court enters emergency relief in favor of the government in *California et al. v. U.S. Dep’t of Education et al.* (No. 25-10548-MJJ).

³ For all preliminary-injunction briefing, the Parties will assent to motions for reasonable page-limit extensions, if necessary.

Plaintiffs do not object to Defendants' proposal.

Dated: March 31, 2025

/s/ Julian N. Canzoneri
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Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Lila Miller, hereby certify that that the foregoing document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing to be served upon counsel of record by email.

Dated: March 31, 2025

/s/ Lila Miller
Lila Miller